REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 14-18 are pending in the present application; Claims 14-17 have been amended; Claim 18 has been added; and Claims 1-13 have been previously canceled without prejudice or disclaimer. Applicants respectfully assert that support for the changes to Claims 14-17 is self-evident from the originally filed disclosure, including the original claims. Support for new Claim 18 is found, for example, in Fig. 34, and in the specification at page 109, line 26 – page 110, line 2, and page 91, lines 16-17. Thus, no new matter is added.

In the outstanding Office Action, Claim 14 was rejected under 35 U.S.C. §101 as directed to non-statutory subject matter; and Claims 14-17 were rejected under 35 U.S.C. §103(a) as unpatentable over Saeki et al. (U.S. Patent No. 6,263,155, hereinafter Saeki) in view of Gotoh et al. (U.S. Patent No. 6,292,625, hereinafter Gotoh).

As for the rejection of Claim 14 under 35 U.S.C. § 101, that rejection is respectfully traversed. Claim 14 has been amended to recite a recording/reproducing apparatus employs the control information to manage the video object data. Accordingly, it is respectfully requested that this rejection be withdrawn.

MPEP § 2106 discusses statutory subject matter in relation to data structures of a computer readable medium. Particularly, MPEP § 2106 provides,

> **a claimed computer-readable medium encoded with a
> data structure defines structural and functional
> interrelationships between the data structure and the
> computer software and hardware components which
> permit the data structure's functionality to be realized,
> and is thus statutory.**

Thus, based on the clear language of this section, Claim 14 is statutory as it defines a functionality of which is realized based on the interrelationship of the structure to the medium and recited hardware components.

Further, should the Examiner disagree with the above passage, MPEP § 2106 also states that,

> Whenever practicable, Office personnel should indicate how rejections may be overcome and how problems may be resolved. A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.

Applicants respectfully submit, as noted above, that the rejection under 35 U.S.C. §101 should be withdrawn. However, if the rejection under U.S.C. §101 is to be maintained, applicants respectfully request that the Examiner provide an explanation of the rejection in view of the guidelines of MPEP §2106.

With respect to the rejection of Claim 14 under 35 U.S.C. §103(a) as unpatentable over Saeki in view of Gotoh, Applicants respectfully traverse this ground of rejection. Applicants acknowledge that the outstanding Office Action states Saeki fails to teach using an error correction code block address.[1] The outstanding Office Action relies on Gotoh to cure the deficiency in Saeki. Applicants respectfully submit that Gotoh does not describe or suggest "an error correction code block address corresponds to the predetermined number of said sectors, said video object data being allocated with an integral multiple of said predetermined number of said sectors" of amended Claim 14.

According to amended Claim 14, the video data is allocated with an integral multiple of the predetermined number of the sectors, and the error correction code (ECC) block address corresponds to the predetermined number of the sectors. Thus, the video data can be read/written using the ECC block address.

The outstanding Office Action relies on col. 8, lines 20-40 of Gotoh to describe that an ECC block address is defined in units of error correction blocks.[2] However, this section of Gotoh only describes that each ECC block has a starting address. This description in Gotoh

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[1] Office Action, page 4.
[2] *Id.*

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does not describe or suggest that the ECC block is used a unit of address, nor does it suggest that ECC block address corresponds to the predetermined number of the sectors, where the video object data is allocated with an integral multiple of the predetermined number of the sectors. There is no description or suggestion in Gotoh that the ECC block address is used to read or write video data.

Gotoh at col. 6, lines 9-13 describes that an ECC operation is performed for each group of 16 sectors. However, this does not mean that each 16-sector ECC operation is used as a unit of address, nor does it suggest that each ECC block address corresponds to the predetermined number of sectors, where the video object data is allocated with an integral multiple of the predetermined number of the sectors.

Furthermore, col. 11, lines 50-58 of Gotoh describes that an AV file is allocated to align with an ECC block boundary. However, this does not mean that each ECC block is used as a unit of address, nor does it describe or suggest that each ECC block address corresponds to the predetermined number of the sectors, where the video object data is allocated with an integral multiple of the predetermined number of the sectors. Rather, a logical block number (LBN) shown in Fig. 9 of Gotoh is used as a unit of address, and the ECC block boundary is determined by specifying the corresponding LBN. Thus, the address unit of Gotoh is the LBN, and not the ECC block.[3]

In view of the above-noted distinctions, Applicants respectfully submit that Claim 14 (and Claim 18) patentably distinguish over Saeki and Gotoh, taken alone or in proper combination. Amended Claims 15-17 are similar to amended Claim 1. Thus, Applicants respectfully submit that Claims 15-17 patentably distinguish over Saeki and Gotoh, taken alone or in proper combination, for at least the reasons stated for Claim 1.
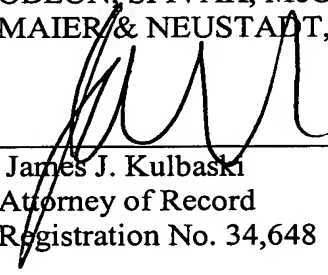
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[3] *See,* Gotoh, col. 10, lines 7-28.

With respect to new Claim 18, Applicants respectfully submit that Claim 18 further patentably distinguishes over <u>Saeki</u> and <u>Gotoh</u> for at least the following reasons. New Claim 18 defines an extent of the video object data specified by a logical block number corresponding to a sector. The combination of the "extent" in Claim 18 and the "error correction code block address" of Claim 14, from which Claim 18 depends, is not described or suggested by <u>Saeki</u> and <u>Gotoh</u>, either alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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